

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

\$35,000.00 IN UNITED STATES CURRENCY,

Defendant.

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8:08CV344

SCHEDULING ORDER

This matter was set to be tried on May 27, 2009; however, on May 22, 2009, the claimant filed a Motion to Suppress Evidence and Statements (Doc. 28) which will require a briefing schedule and separate evidentiary hearing.

IT IS ORDERED:

1. Claimant shall file a brief in support of his Motion to Suppress Evidence and Statements (Doc. 28), in compliance with [NECivR](#) 7.0.1, no later than May 29, 2009.¹ The United States is given until June 19, 2009 to respond to the claimant's brief. The claimant may file a reply brief within the time allowed by [NECivR](#) 7.0.1(c).

2. The Motion to Suppress Evidence and Statements will be set for an evidentiary hearing, to be held after the briefing schedule expires.

3. The trial now set for May 27, 2009 is cancelled and will be rescheduled after the court rules on the claimant's Motion to Suppress.

DATED May 26, 2009.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**

¹Pursuant to [NECivR](#) 7.0.1(a)(1)(A), "A motion raising a substantial issue of law must be supported by a brief filed and served together with the motion. The brief must be separate from, and not attached to or incorporated in, the motion or index of evidence. The brief must concisely state the reasons for the motion and cite to supporting authority. A party's failure to brief an issue raised in a motion may be considered a waiver of that issue. The brief must not recite facts unless supported as described in Nebraska Civil Rule 7.0.1(a)(2).